

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**WHITEBOX FUNDS' INFORMATIVE MOTION
REGARDING THE NOVEMBER 15-16 OMNIBUS HEARING**

To the Honorable United States District Judge Laura Taylor Swain:

Whitebox Asymmetric Partners, L.P., Whitebox Institutional Partners, L.P., Whitebox Multi-Strategy Partners, L.P., Pandora Select Partners, L.P., and Whitebox Term Credit Fund I L.P. (collectively, the “**Whitebox Funds**”), creditors and parties in interest in the above captioned Title III cases, respectfully submit this informative motion pursuant to the October 26, 2017 *Order Regarding the Location and Procedures for Attendance, Participation, and Observation of the*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

November 15-16, 2017 Omnibus Hearing [Docket No. 1545] (the “Order”) and respectfully state as follows:

1. Daniel A. Fliman of Kasowitz Benson Torres LLP intends to speak on behalf of the Whitebox funds at the upcoming omnibus hearing (the “Omnibus Hearing”) to respond to any statements made by any party that may affect the rights of the Whitebox Funds in connection with the above-captioned title III proceedings or the adversary proceeding styled as *The Bank of New York Mellon, as Trustee v. Puerto Rico Sales Tax Financing Corporation* (“COFINA”), *et al.*, Adv. Proc. No. 17-133-LTS (D.P.R.), solely on November 15, 2017.

2. To the extent the Omnibus Hearing extends past November 15, 2017, then on November 16, 2017, Kenneth R. David of Kasowitz Benson Torres LLP intends to speak on behalf of the Whitebox funds to respond to any statements made by any party that may affect the rights of the Whitebox Funds in connection with the above-captioned title III proceedings or the adversary proceeding styled as *The Bank of New York Mellon, as Trustee v. Puerto Rico Sales Tax Financing Corporation* (“COFINA”), *et al.*, Adv. Proc. No. 17-133-LTS (D.P.R.).

3. Both Messrs. Fliman and David will appear before the Court in the United States District Court for the Southern District of New York. The Whitebox Funds anticipate a total of two representatives, inclusive of either Messrs. Fliman or David, will attend the Omnibus Hearing in the United States District Court for the Southern District of New York.

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RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 7th day of November, 2017.

WE HEREBY CERTIFY that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record, and will provide hard copies to the Court and United States Trustee as soon as practical after the filing of the foregoing, consistent with the Court's October 24, 2017 Third Amended Case Management Order. (See [Docket No. 1512-1] § 2.I.)

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